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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Grillo-Lopez, et al.

Group Art Unit: 1644

Application Serial No. 09/436,348

Examiner: Ron Schwadron

Filed: 11 Novmeber 1999

Title: USE OF CHIMERIC ANTI-CD20 ANTIBODY AS *IN VITRO* OR *IN VIVO* PURGING AGENT IN  
PATIENTS BMT OR PBSC TRANSPLANT

\* \* \* \* \*

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
Washington, D.C. 20231

RECEIVED  
MAR - 4 2002  
TECH CENTER 1600/2900

Sir:

This Reply is filed in response to the Office Action dated February 9, 2001, setting forth an Election of Species. The Reply is filed together with a Notice to Revive Unintentionally Abandoned Application.

Applicants elect without traverse anti-CD20 antibody as recited in claim 11 and chimeric antibody as recited in claim 12. Applicants confirm the Examiner's indication that claims 10 and 11 depend from claim 7 and not claim 1.

In view of the foregoing, it is believed that the subject application is in condition for allowance and such favorable action is earnestly solicited. However, should there be any remaining issues the Examiner is invited to call the undersigned.

Respectfully submitted,

PILLSBURY WINTHROP LLP

Date: February 28, 2002

By: Robin L. Teskin  
Robin L. Teskin  
Registration No. 35,030

Samir Elamrani  
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Inventor(s): Grillo-Lopez et al.

Appl. No.: 09

436,348

Series Code ↑

Serial No. ↑

Filed: November 11, 1999

Hon. Commissioner of Patents

Washington, D.C. 20231

Group Art Unit

1644

Examiner:

Ron Schwadron

Atty. Dkt.

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Client Ref

Appl. Title: Use of Chimeric Anti-CD20 Antibody As  
In Vitro Purging Agent In Patients BMT  
or PBSC Transplant

RECEIVED

MAR - 4 2002

Sir:

REPLY/AMENDMENT/LETTER

TECH CENTER 1600.2900

Date: February 28, 2002

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

## FEE REQUIREMENTS FOR CLAIMS AS AMENDED

## 1. Small Entity claim

A. ☐ NOT madeB. ☐ WithdrawnC. ☐ made herewithD. ☐ made previously

For B &amp; C

See **Required****Separate Paper**

(Pat-256)

Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	**minus 0	0	x \$18/\$9 =	+ \$0	103/203
3. Independent Claims	***minus 0	0	x \$84/\$42 =	+ \$0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)		add	+ \$280/\$140 =	+ \$0	104/204
5. Original due Date: March 9, 2001	<input type="checkbox"/> NONE				
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo) (2 mos) (3 mos) (Usable only for ≤ 2mo.OA --- 4 mos) (Usable only for 30 day/1mo.OA --- 5 mos)	\$110/\$55 = \$400/\$200 = \$920/\$460 = \$1,440/\$720 = \$1,960/\$980 =	+ \$1960		115.215 116.216 117.217 118.218 128.228
7. Enter any previous extension fee paid since above original due date and subtract		- \$0			
8.			Extension Fee Attached	+ \$0	
9. If Terminal Disclaimer attached, add Rule 20(d) official fee		+ \$110/\$55		+ \$0	148.248
10. If IDS attached requires Official Fee under Rule 97 (c), or if Rule 97(d) Request		+ \$180 + \$180		+ \$0	126 126
11. After-Final Request Fee per rules 129(a) and 17(r)		+ \$740/370		+ \$0	146.246
12. No. of additional inventions for examination per Rule 129(b)		x \$740/370 ea		+ \$0	149.249
13. Request for Continued Examination (RCE)		+ \$740/370		+ \$0	1179/1279
14. Petition fee for Revival of Unintentional Abandonment				+ \$1280	141
15.					
TOTAL FEE ENCLOSED =				\$3240	

16. \*If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

17. \*\*If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

18. \*\*\*If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

Our Deposit Account No. 03-3975)

(Our Order No. 037003 0275537

C#

M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

## Intellectual Property Group

By Atty: Samir Elamrani

Reg. No. 43,601

Sig:

Fax: 703-905-2500

Tel:

Tel: 703-905-2064

Atty/Sec: SXT/af

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments